

### **REMARKS**

Upon entry of this amendment, claims 18-31 are pending in the application. Claims 4-9, 12-14 and 16-17 have been canceled and new claims 18-31 have been added. Reconsideration and allowance of the application are respectfully requested.

Claims 4-5, 9 and 16-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over combinations of Japanese patent document JP 10200493 to Iwasaki, et al. ("Iwasaki") in view of U.S. patent number 6,625,548 to Pihl, et al. ("Pihl") and German patent number DE 4424380 to Luegering ("Luegering").

#### **Claim Amendments**

Claims 4-9, 12-14 and 16-17 have been canceled from the application without prejudice. New claims 18-31 have been added to better distinguish the invention defined by these claims over the prior art relied on in the rejection.

New claims 18-31 have been added to the application to better define operation of a delivery management server and related components in a communication network. The delivery management server in accordance with the present invention is adapted to transmit different information to the requester according to a type of content item requested.

Support for these amendments is found throughout the application including, for example, in FIG. 13 and at page 27, line 10 to page 29, line 7 of the Specification. As explained there, when the requested content item belongs to a first item (e.g., a popular content item), the delivery management server transmits only related information (such as a decryption key, etc.) of the requested content item, without transmitting the requested content item itself. The reason for this is that popular content items can be downloaded from other sources, such as a broadcast station. When the requested content item is of the second type (a not popular content item, in this example), the delivery management server does transmit the content item. Optionally, the delivery management server also transmits related information. In this example, the "related information" is a decryption key for the transmitted song.

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It is respectfully submitted that none of the prior art of record shows, describes or even suggests the invention defined by new claims 18-31. Accordingly, withdrawal of the rejections and allowance of the application is respectfully requested.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



John G. Rauch  
Registration No. 37,218  
Attorney for Applicant

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BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200